

Appln No. 09/775,315

Amdt date January 29, 2004

Reply to Office action of October 29, 2003

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1. (currently amended) A positive active material for a rechargeable lithium battery comprising a chemically bonded mixture of:

lithium nickel manganese oxides; and

lithium manganese oxides,

wherein a weight ratio of lithium manganese oxides to the lithium nickel manganese oxides is less than 1.

2. (original) The positive active material of claim 1 wherein the lithium nickel manganese oxides is  $\text{Li}_x\text{Ni}_{1-y}\text{Mn}_y\text{O}_{2+z}$  ( $0 < x < 1.3$ , and  $0.1 \leq y \leq 0.5$ ),  $0 \leq z \leq 0.5$ ).

3. (original) The positive active material of claim 1 wherein the lithium manganese oxides is  $\text{Li}_{1+x}\text{Mn}_{2-x}\text{O}_{4+z}$  ( $0 \leq x' \leq 0.3$ , and  $0 \leq z \leq 0.5$ ).

4. (original) The positive active material of claim 1 wherein the mixing ratio of the lithium nickel manganese oxides and lithium manganese oxides is 90 to 60 : 10 to 40 wt%.

5-9 (canceled)

10. (currently amended) A positive active material for a rechargeable lithium battery comprising a chemically bonded mixture of lithium nickel cobalt oxides and lithium manganese oxides produced by mixing lithium nickel cobalt oxides with lithium manganese oxides, the weight ratio of lithium manganese oxides to lithium nickel cobalt oxides being less than 1; adding a binder to the mixture; and heat-treating the resulting mixture at a low-temperature.